

FILED
DISTRICT COURT OF GUAM

AUG 24 2018

JEANNE G. QUINATA
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

CIVIL CASE NO. 18-00016

RICHARD T. ARNOLD)
)
Plaintiff,)
v.)
ELLEN WILKINSON, SAN UNION)
CORPORATION, OFFICER VERELLA,))
OFFICER CHAMPION, AND OFFICER)
PALACIOS)
Defendants,)
UNITED STATES DEPARTMENT)
OF LABOR,)
Interested third party.)

ADVISEMENT TO THE COURT
UNDER RULE 4 (m)

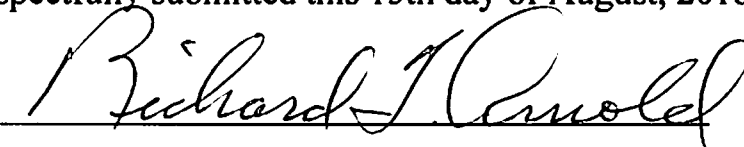
Plaintiff Arnold advises the court that he has temporarily relocated in the state of Missouri. Arnold was recently contacted by the investigator for the United States Department of Labor (OSHA) concerning Arnold's retaliation case against Ms. Wilkinson and San Union Corporation. The investigator was unaware of the severity of the retaliation concerning the burglary of Arnold's apartment under occupancy and Arnold's false imprisonment. The investigator advised Arnold that the case is now in an elevated status.

Arnold will attempt to learn whether OSHA will include the issues mentioned above as part of the claims this week. In the event OSHA does include the aforementioned issues as part of the claims against Ellen Wilkinson and San Union Corporation then Arnold will dismiss this case. In the meantime, Arnold requests that this court grant an extension of time to serve the defendants at least until Arnold determines if OSHA will pursue all of the claims for damages perpetrated by Ms. Wilkinson and San Union Corporation.

Arnold will not be able to attend the scheduling conference on August 30, 2018, and respectfully requests that the court grant an extension of time to serve the defendants under Rule 4 (m). It allows extensions of time for good cause and reads:

4 (m) Time Limit for Service. If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f), 4(h)(2), or 4(j)(1) or to service of a notice under Rule 71.1(d)(3)(A).

Respectfully submitted this 15th day of August, 2018,

by: 

Richard T. Arnold

RICHARD T. ARNOLD
495 HEREFORD PARK
NEW HAVEN, CT.

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520 W. SOLEDAD

HAGATNA, GUAM

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United States Marshals Service
District of Guam
Date 8/23/18 DS

96910-491601

